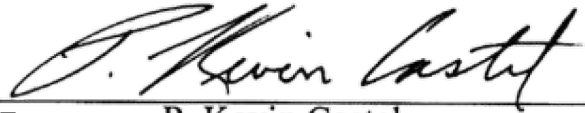




UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
100 PEARL STREET, SUITE 20-100
NEW YORK, NY 10004-2616

Initial conference is adjourned from 9/8/2023
to January 19, 2024 at 10:30 a.m.
Dial-In No.: 1-888-363-4749, Access Code: 3667981.
SO ORDERED.
Dated: 9/1/2023

 September 1, 2023

FILED BY ECF P. Kevin Castel
United States District Judge

Hon. P. Kevin Castel
United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

Re: SEC v. Scott Lindell, No. 22 Civ. 8368 (PKC)
[Related Case: SEC v. Velissaris, No. 22 Civ. 1346 (PKC)]

Dear Judge Castel:

Plaintiff Securities and Exchange Commission ("SEC") and Defendant Scott Lindell ("Lindell") respectfully write to jointly request a 90-day adjournment of the Initial Pretrial Conference scheduled for September 8, 2023, in this matter. (Text Order dated May 24, 2023). The parties respectfully request that the Court adjourn the Initial Pretrial Conference for 90 days to allow the parties to continue their settlement discussions in the hopes of resolving the remedies remaining in this matter and for the parties to continue to engage in certain informal fact-gathering relevant to those discussions. The parties have previously requested and received three extensions, with the Court granting the last extension on May 24, 2023. At this time, counsel for the SEC and Lindell believe that this will be the last adjournment request based on the ongoing settlement discussions.

The bifurcated consent judgment the Court entered as to Lindell on October 6, 2022, resolved certain injunctive relief that the SEC sought (and effectively resolved the issue of liability) but left open for later resolution by motion (or further settlement) the monetary relief and officer-and-director bar the SEC also seeks. (D.E. 10).

Currently, the SEC and Lindell are in the midst of settlement discussions that may resolve the remaining issues and are therefore still engaged in certain informal fact-gathering relevant to the settlement discussions, particularly as to monetary relief. The parties therefore hope that an additional period of informal fact-gathering and settlement negotiations may eliminate the need for discovery and motion practice in this matter.

The parties thus respectfully request that the Court adjourn the Initial Pretrial Conference for 90 days. If the parties cannot reach a settlement in principle by then, they will propose a discovery schedule or a briefing schedule for the SEC's motion for remedies.

Respectfully submitted,

/s/ Zachary Sturges
Zachary Sturges
Senior Counsel
Division of Enforcement

cc: Counsel for Defendant (by email and ECF)